	Application No.	Applicant(s)
Notice of Allowability	09/840,433	YU ET AL.
	Examiner	Art Unit	
	Ian N. Moore	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *8/1/2005*.

2. ☒ The allowed claim(s) is/are *1-19*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *9/22/05* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Michael J. Turgeon on September 22, 2005.

The application has been amended as follows:

- In the **abstract**, line 1, "**The invention discloses a method**" has been replaced with -- **A method** - -

- In the **specification**, page 6, line 24, "**EBR**" has been replaced with -- **BER** - -

- **Claim 1**, line 3, "**a variance value**" has been replaced with -- **a change** - -

- **Claim 1**, line 4, "**a grade of the error**" has been replaced with -- **a fuzzy value of the error** - -

- **Claim 1**, line 4-5, "**a grade of the variance value of the error**" has been replaced with -- **a fuzzy value of the change of the error** - -

- **Claim 1**, line 6, "**a grade of a SNR threshold**" has been replaced with -- **a fuzzy value of a SNR threshold** - -

- **Claim 1**, line 7, "**the grade of the error**" has been replaced with -- **the fuzzy value of the error** - -

- **Claim 1**, line 7-8, "**the grade of the variance value of the error**" has been replaced with -- **the fuzzy value of the change of the error** - -

- **Claim 1**, line 10, "**the calculated grade of the SNR threshold**" has been replaced with -- **the calculated fuzzy value of the SNR threshold** - -

- **Claim 2**, line 5, "**the variance value of the error**" has been replaced with -- **the change of the error** - -

- **Claim 3**, line 2, "**the grade of the error**" has been replaced with -- **the fuzzy value of the error** - -

- **Claim 3**, line 2-3, "**the grade of the variance value of the error**" has been replaced with -- **the fuzzy value of the change of the error** - -

- **Claim 3**, line 4, in the table, "**grade**" has been replaced with -- **fuzzy value**- -

- **Claim 3**, line 6, in the table, "**variance value of error**" has been replaced with -- **change of error** - -

- **Claim 4**, line 2, "**the grade of the error**" has been replaced with -- **the fuzzy value of the error** - -

- **Claim 4**, line 2-3, "**the grade of the variance value of the error**" has been replaced with -- **the fuzzy value of the change of the error** - -

- **Claim 4**, line 4, in the table header, "**grade**" has been replaced with -- **fuzzy value**- -

- **Claim 4**, line 6, in the table, "**variance value of error**" has been replaced with -- **change of error** - -

- **Claim 5**, line 3, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 5**, line 3, "**value grade**" has been replaced with -- **fuzzy value**- -

- **Claim 5**, line 4, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 5**, line 4, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 5**, line 5, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 5**, line 5-6, "**value grade**" has been replaced with -- **fuzzy value**- -

- **Claim 5**, line 6, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 5**, line 6, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 6**, line 3, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 6**, line 3, "**step grade**" has been replaced with -- **step fuzzy value**- -

- **Claim 6**, line 4, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 6**, line 4, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 6**, line 5, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 6**, line 5, "**step grade**" has been replaced with -- **step fuzzy value**- -

- **Claim 6**, line 6, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 6**, line 6, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 7**, line 3, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 7**, line 3, "**step grade**" has been replaced with -- **step fuzzy value**- -

- **Claim 7**, line 4, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 7**, line 4, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 7**, line 5, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 7**, line 5, "**step grade**" has been replaced with -- **step fuzzy value**- -

- **Claim 7**, line 6, "**error grade**" has been replaced with -- **error fuzzy value**- -

- **Claim 7**, line 6, "**error variance value grade**" has been replaced with -- **error change fuzzy value** - -

- **Claim 11**, line 3, "**the grade**" has been replaced with -- **the fuzzy value**- -

- **Claim 11**, line 5, in the table, "**grade of SNR**" has been replaced with -- **fuzzy value of SNR**- -

- **Claim 12**, line 3, "**the grade**" has been replaced with -- **the fuzzy value**- -

- **Claim 12**, line 5, in the table, "**grade of SNR**" has been replaced with -- **fuzzy value of SNR**- -

- **Claim 13**, line 3, "**the grade**" has been replaced with -- **the fuzzy value**- -

- **Claim 13**, line 5, in the table, "**grade of SNR**" has been replaced with -- **fuzzy value of SNR**- -

- **Claim 14**, line 3, "**the grade**" has been replaced with -- **the fuzzy value**- -

- **Claim 14**, line 5, in the table, "**grade of SNR**" has been replaced with -- **fuzzy value of SNR**- -

Allowable Subject Matter

2.   **Claims 1-19** are allowed.

Application/Control Number: 09/840,433
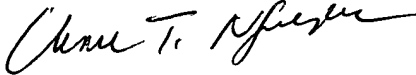
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Conclusion

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

INM

11-15-05

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